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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
SBHU127448		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/US2004/0430213	December 20, 2004	December 19, 2003
TITLE OF INVENTION		
LIVE GENETICALLY ATTENUATED MALARIA VACCINE		
APPLICANT(S) FOR DO/EO/US		
Stefan KAPPE, Kai-Uwe C. MATUSCHEWSKI, and Ann-Kristin MUELLER		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- X   1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- X   3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- X   4. The US has been elected (Article 31).
- X   5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- a. is attached hereto (required only if not communicated by the International Bureau).
- b. has been communicated by the International Bureau.
- X   c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLC</sup>  
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- X   7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- \_\_\_\_\_ a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_\_ b. have been communicated by the International Bureau.
- \_\_\_\_\_ c. have not been made; however, the time limit for making such amendments has NOT expired.
- X   d. have not been made and will not be made.
- \_\_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- \_\_\_\_\_ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- \_\_\_\_\_ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- X   11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- \_\_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- \_\_\_\_\_ 13. A preliminary amendment. Please enter the Preliminary Amendment prior to calculation of the filing fee. The "Amendments to the Claims" section adds \_\_\_\_\_ additional pages to the application, bringing the total number of pages to \_\_\_\_\_.
- X   14. An Application Data Sheet under 37 C.F.R. 1.76.
- \_\_\_\_\_ 15. A substitute specification.
- \_\_\_\_\_ 16. A power of attorney and/or change of address letter.
- X   17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 – 1.825 is transmitted herewith in printed and computer-readable formats. The paper and computer-readable copies of the sequence listing are the same and do not contain new matter. Entry of the sequence listing into the application is requested. The paper copy comprises 3 additional pages.
- X   18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_\_ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X   20. Other items or information:
- X   a. International Search Report.
- X   b. International Preliminary Report on Patentability.

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The following fees are submitted:.				<b>CALCULATIONS</b>	
21. <input checked="" type="checkbox"/> a) Basic national fee..... \$300				\$300	
22. <input checked="" type="checkbox"/> b) Examination fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 All other situations.....\$200.00				\$200	
23. <input checked="" type="checkbox"/> c) Search fee If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....\$0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....\$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400.00 All other situations.....\$500.00				\$400	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$900	
____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
31 - 100 =	0/50=	0	x \$250	\$--	
Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$--	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	5 - 20 =	0	x \$50	\$--	
Independent claims	5 - 3 =	2	x \$200	\$400	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$--	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,300	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$650	
<b>SUBTOTAL =</b>				\$650	
Processing fee of \$130 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$--	
<b>TOTAL NATIONAL FEE =</b>				\$650	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property.				\$--	

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TOTAL FEES ENCLOSED =		\$650
	Amount to be refunded:	\$
	Amount to be charged:	\$

- X   a. Check No. 171002 in the amount of \$650 to cover the above fees is enclosed.
- X   b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Customer No. 26389**

Dennis K. Shelton  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
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Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

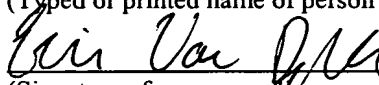


Dennis K. Shelton  
Registration No. 26,997  
Direct Dial No. 206.695.1718

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 683 831 535 US  
Date of Deposit: June 16, 2006

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Erin Van Dyck  
(Typed or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

DKS:cj

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